

IN RE: PETITIONS FOR SPECIAL HEARING
AND ZONING VARIANCE - E/S Seven
Mile Lane, SE/Corner of
Marnat Road
(7307 Seven Mile Lane)
3rd Election District
2nd Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-226-SPHA

Congregation Darchei Tzedek
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and a Petition for Zoning Variance filed by the owner of the subject property, the Congregation Darchei Tzedek, Inc., by Louis Newmark, President. As to the Petition for Special Hearing, relief is sought pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (B.C.Z.R.) to amend the Order in prior Case No. 86-401-SPH and to show that the proposed improvements comply to the greatest extent possible with Residential Transition Area (RTA) requirements. As to the Petition for Zoning Variance, relief is sought from the B.C.Z.R. as follows: From Section 409.8.A.4 to permit 14 parking spaces in lieu of the required 22; from Section 409.8.A.2 to permit a crushed rock surface in lieu of the required macadam paving; from Section 409.8.A.6 to permit parking spaces to remain unstriped, yet marked on the curb; and from Section 1B01.2.C.1.a to permit a front yard setback of 8 feet in lieu of the required 40 feet and a side street setback of 10 feet in lieu of the required 35 feet for an existing, non-residential building, all as more particularly described on Petitioner's Exhibit 1.

Appearing at the public hearing held for this matter on behalf of the Petitioner were Louis Newmark, Rabbi Jeremy Kaganoff, and Tom Zien, who is a member of the congregation and has supervised the proposed addi-

tion. Also present was Judith Raab with the engineering firm of Rosenfelt and Woolfolk, who prepared Petitioner's Exhibit 6, the site plan to accompany the subject Petition. The Petitioner was represented by Jonathan E. Greenstein, Esquire. There were no Protestants present.

Testimony indicated that the subject property, known as 7307 Seven Mile Lane, consists of 0.39 acres, more or less, zoned D.R. 5.5 and is improved with a 3400 sq.ft. building currently used as a synagogue. Said property was the subject of prior Case No. 86-401-SPH in which the Petitioner was granted approval to convert two commercial buildings existing on the property at that time for use as a synagogue. The Petitioner is desirous of constructing a one-story addition to the rear of the existing building to provide more space for their growing congregation.

Louis Newmark, President of the corporate Petitioner, testified as to the history of this site. He stated that the subject building has existed on the property for many years and was previously used as a grocery store, liquor store, pharmacy, etc., until its purchase by the Congregation in 1986. As is shown from the photographs submitted, the property was in a great state of disrepair when acquired by the Congregation. Since then, the building and surrounding property have been significantly rehabilitated. Clearly, the Congregation is to be commended on its efforts to revitalize this property. As to the use of the building, it is presently used by the Petitioner to conduct religious services. Mr. Newmark testified that this small, approximate 85-member orthodox Jewish congregation was established in 1974 and that most of its members live nearby. In fact, 35 of the family members live within a quarter mile of this site, and an additional 31 families live within one-half mile. Mr. Newmark stated that the Jewish faith requires the parishioners walk to services as they are

not allowed to drive on the Sabbath. In this respect, Mr. Newmark noted that most of the parishioners walk to services, which are held on Saturdays and on other occasions during the week.

Tom Zien also testified and described in great detail the Congregation's plans. Although no immediate increase in the number of members is envisioned, the existing building is too small for the Congregation's current needs. Therefore, the Congregation proposes construction of a one-story addition to the rear of the existing building as shown on Petitioner's Exhibit 6. Further, a floor plan was submitted depicting the proposed use of the building. Mr. Zien noted that religious services are conducted separately for the men and women members of this Congregation. The proposed addition will provide an increased area for services for the women members while expanding that presently available to the male members of this Congregation. Also, construction will allow for a better internal flow within the building and more space for other activities.

Apparently, the project enjoys enthusiastic support from its surrounding neighbors. Letters from many of these neighbors were submitted and it is again to be noted that no Protestants appeared at the hearing. Clearly, these neighbors are pleased that the Congregation has upgraded this property and removed an eyesore from within this residential community. Further, it is clear that the proposed plan will be in harmony with the existing building and will actually improve the site's appearance.

Also testifying was Judith Raab, an Urban Planner with Rosenfelt and Woolfolk who prepared the site plan for the subject property. Ms. Raab described the plan in detail, including the proposed addition and modifications to the parking lot. It is to be noted that use of the subject site for a synagogue in this residential zone was previously approved in Case

No. 86-401-SPH by the then Zoning Commissioner, Arnold Jablon, by Order dated April 16, 1986. The special hearing which has been filed in the instant case requests an amendment of the previously approved plan as it relates to the proposed addition. Clearly, the proposed addition will not detrimentally affect the surrounding locale in any manner. Construction of same is actually an improvement to the site and is to be encouraged. Certainly the proposed improvements comply to the greatest extent possible with RTA requirements. For all of these reasons, I shall grant the Petition for Special Hearing as submitted.

Turning to the variances, discussion should first be given as to the setback variances. These variances are necessary only to legitimize existing conditions on the property. That is, they are not necessitated by the construction of the proposed addition. Rather, the requested front and side street variances are needed due to the location of the existing building. As noted above, the building has been in place for many years. Further, the photographs show that it is consistent with the other structures and dwellings which surround this site. Unquestionably, the Petitioner would suffer practical difficulty if these variances were denied. Relocation or demolition of the existing building would be necessary to bring the property into strict compliance with current setback regulations. Such a result is clearly not warranted and not supported by the evidence presented. Therefore, I shall grant the setback variances as submitted.

The remaining variances requested relate to parking. As noted above, the Petitioner requests 14 parking spaces be permitted in lieu of the required 22. This is somewhat of an unusual case because of the religious beliefs and teachings of this Congregation. As previously stated, members of the Congregation are prohibited from driving to services on

Saturdays. This clearly reduces the traffic impact. Further, the fact that so many parishioners live within close proximity of the subject site is significant. For these reasons, I am persuaded that 14 parking spaces is more than sufficient to accommodate the parking needs of this Congregation. Thus, the parking variance from Section 409.6.A.4 of the B.C.Z.R. shall be granted.

As to the variance from Section 409.8.A.2, this request should also be approved. Currently, the lot is a stone surface which facilitates improved storm water absorption. From an environmental standpoint, the crushed stone surface is preferable to a durable/dust-free surface. Also, macadam paving of the surface would require an extensive storm water management system. As noted by Mr. Zien, this would make the project financially infeasible. For all of these reasons, I am likewise persuaded to grant this variance.

Lastly, a variance was requested from Section 409.8.A.6 to permit non-striping of the parking spaces. The Petitioner proposes placing railroad ties, which will be striped, on the rear portion of the parking lot to mark the parking spaces which are provided. This appears appropriate, particularly in view of the granting of the variance from Section 409.8.A.2 above. Thus, this variance shall be granted as well.

Section 307 of the B.C.Z.R. provides that area/parking variances may be granted only upon a showing that the property owner will suffer practical difficulty or unreasonable hardship if strict compliance with the regulations is required. There is no doubt that in this case the Petitioner would suffer such practical difficulty if the relief requested were not granted. Further, the evidence is overwhelming that the granting

of the relief requested will not be detrimental to the health, safety or general welfare of the surrounding locale.

Notwithstanding my approval of the relief set forth above, additional comment concerning the Zoning Plans Advisory Committee comments submitted is appropriate. First, both the Developer's Engineering Division and the Office of Planning and Zoning have suggested that certain landscaping be implemented on the property. The Petitioners, in their endeavor to remain good neighbors with the surrounding community, will no doubt take appropriate steps to lessen the visual impact of the proposed improvements on the community. However, the building has been in place for many years and it is doubtful whether the site can be upgraded to strictly comply with the requirements set forth in the Baltimore County Landscape Manual. Although I will leave the details of any potential landscaping to the County's Landscape Planner, it is to be noted that a stockade fence exists on the east side of the subject property between the existing building and the residence at 3319 Marnat Road. In order for narrow vehicular access to be available on that portion of the site, additional landscaping is not possible. Thus, the fence should suffice to screen the adjacent property. Likewise, landscaping appears to be difficult on the north and west sides of the property facing Marnat Road and Seven Mile Lane, respectively. The distances involved are limited and landscaping could interfere with the flow of traffic. Instead, landscaping is more proper on the rear (south) of the site where the property abuts Baltimore City and the residences on Shelbourne Road. In fact, there is existing landscaping which should be maintained and possibly upgraded. I will rely upon the judgment of the Baltimore County Landscape Planner for exact improvements in this regard consistent with the comments contained herein.

A second comment was offered by the Bureau of Traffic Engineering. Specifically, it was requested that a "Do Not Enter" sign be installed at the entrance to the site from Marnat Road in order to improve internal traffic flow. I concur with this recommendation as does the Petitioner. Thus, a sign shall be installed. The Bureau of Traffic Engineering's comment regarding concrete curbs in lieu of railroad ties shall not be incorporated, however, in view of the fact that the variance permitting the existing crushed stone parking lot shall be granted. That is, concrete curbs need not be constructed in view of the fact that the surface of the lot shall remain in its present state.

Additionally, the Petitioner has indicated that certain improvements to the existing building are to be made in order to upgrade its appearance. This includes the installation of siding and the refurbishment of the small concrete storage building. There is no doubt that when all of these conditions are incorporated, the property will be significantly upgraded.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the

B.C.Z.R. Thus, the Petitioner has satisfied the necessary burden of proof set forth by the B.C.Z.R. and the case law.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variances requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of March, 1993 that the Petition for Special Hearing requesting relief, pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (B.C.Z.R.), to amend the Order in prior Case No. 86-401-SPH and to show that the proposed improvements comply to the greatest extent possible with Residential Transition Area (RTA) requirements, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from the B.C.Z.R. as follows: From Section 409.6.A.4 to permit 14 parking spaces in lieu of the required 22; from Section 409.8.A.2 to permit a crushed rock surface in lieu of the required macadam paving; from Section 409.8.A.6 to permit parking spaces to remain unstriped, yet marked on the curb; and from Section 1B01.2.C.1.a to permit a front yard setback of 8 feet in lieu of the required 40 feet and a side street setback of 10 feet in lieu of the required 35 feet for an existing, non-residential building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for approval by the Landscape Planner for Baltimore County. A copy of the approved plan shall be submitted to the Zoning Administration and Development Management Office for inclusion in the case file. The landscape plan shall provide for landscaping on the south side of the property only, in accordance with the foregoing findings and opinion.

3) A "Do Not Enter" sign shall be installed at the entrance to the subject site from Marnat Road.

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

March 2, 1993

(410) 887-4386

Jonathan E. Greenstein, Esquire
9175 Guilford Road, Suite 301
Columbia, Maryland 21046-1859

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
E/S Seven Mile Lane, SE/Corner of Marnat Road
(7307 Seven Mile Lane)
3rd Election District - 4th Councilmanic District
Congregation Darchel Tzedek, Inc. - Petitioners
Case No. 93-226-SPHA

Dear Mr. Greenstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

file



Petition for Special Hearing to the Zoning Commissioner of Baltimore County

for the property located at 7307 Seven Mile Lane

which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a special hearing in regard to

Section 1801.1.B.1.g(6), to amend case number 86-401-SPH and to show that proposed improvements comply to the extent possible with RTA requirements.

[Consents to request for approval contained in this Petition for Special Hearing, signed by each of George Schiller, the closest neighbor, and Dr. Sheldon Avery, President of the Marnat Road Neighborhood Association, have been submitted with this Petition.]

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Contract Purchaser/Lessor:

None

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

Congregation Darchel Tzedek, Inc.

(Type or Print Name)

By:

Louis Newman
Louis Newman, President

Signature

(Type or Print Name)

7307 Seven Mile Lane

Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

(Type or Print Name)

Richard B. Talkin, P.A.

Signature

(Type or Print Name)

7307 Seven Mile Lane

Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

(Type or Print Name)

Richard B. Talkin, P.A.

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(Type or Print Name)

Richard B. Talkin, P.A.

Signature

(Type or Print Name)

7307 Seven Mile Lane

Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 7307 Seven Mile Lane

which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6.A.4, to allow 14 parking spaces in lieu of the required 22; Section 409.8.A.2, to allow a crushed rock surface instead of the required macadam pavement; Section 409.8.A.6, to allow parking spaces to remain unstriped, yet marked on the curb. 1801.2.C.1.a. To allow an 8' front setback on the side street setback in lieu of the required 10' setback for an existing non-residential principal building.

See attached reasons for requested Variance

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Contract Purchaser/Lessor:

None

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

Congregation Darchel Tzedek, Inc.

(Type or Print Name)

By:

Louis Newman
Louis Newman, President

Signature

(Type or Print Name)

7307 Seven Mile Lane

Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

(Type or Print Name)

Richard B. Talkin, P.A.

Signature

(Type or Print Name)

7307 Seven Mile Lane

Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

(Type or Print Name)

Richard B. Talkin, P.A.

Signature

(Type or Print Name)

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City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

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(Type or Print Name)

Richard B. Talkin, P.A.

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Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

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(Type or Print Name)

Richard B. Talkin, P.A.

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(Type or Print Name)

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Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

(Type or Print Name)

Richard B. Talkin, P.A.

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(Type or Print Name)

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Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

(Type or Print Name)

Richard B. Talkin, P.A.

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(Type or Print Name)

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Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

(Type or Print Name)

Richard B. Talkin, P.A.

Signature

(Type or Print Name)

7307 Seven Mile Lane

Address

Baltimore Maryland 21208

City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Jonathan E. Greenstein, Esquire

DATE: 2-2-93

Congregation Darchei Tzedek, Inc.
7307 Seven Mile Lane
Baltimore, Maryland 21206

RE: CASE NUMBER: 93-226-SPHA (Item 235)
8/S Seven Mile Lane, SEC Marnat Road
7307 Seven Mile Lane
3rd Election District - 2nd Councilmanic
Petitioner(s): Congregation Darchei Tzedek, Inc.
HEARING: TUESDAY, FEBRUARY 16, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 101.75 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

cc: Jonathan E. Greenstein, Esq.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-226-SPHA (Item 235)
8/S Seven Mile Lane, SEC Marnat Road
7307 Seven Mile Lane
3rd Election District - 2nd Councilmanic
Petitioner(s): Congregation Darchei Tzedek, Inc.
HEARING: TUESDAY, FEBRUARY 16, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to amend case 86-401-SPH and to show that proposed improvements comply to the extent possible with R.T.A. requirements.
Variances to allow 14 parking spaces in lieu of the required 22; to allow a crushed rock surface instead of the required macadam pavement; to allow parking spaces to remain unstriped, yet marked on the curb; to allow an 8 foot front and 10 foot side street setback in lieu of the required 40 and 35 feet for an existing non-residential principal building.

Arnold Jablon
Director

cc: Congregation Darchei Tzedek, Inc.
Jonathan E. Greenstein, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.

Jonathan E. Greenstein, Esquire
Richard B. Talkin, P.A.
9175 Guilford Rd. STE 301
Columbia, MD 21046

RE: Case No. 93-226-SPHA, Item No. 235
Petitioner: Congregation Darchei Tzedek, Inc.
Petition for Special Hearing and Variance

Dear Messrs. Greenstein and Talkin:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 12, 1993 and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitioners filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

W. Carl Richards, Jr.
Zoning Coordinator

WCR:hek

Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 29, 1993
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 1, 1993
Item No. 235

The Developers Engineering Division has reviewed the subject zoning item. The "impacted area" of the proposed addition is subject to the Landscape Manual requirements. A modification to Sec. IX c.2.b.3 (10-foot buffer against residence) will be needed for this layout.

Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developers Engineering Division

RWB:DAK:s

1-20-93

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. +235 (LTC)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teleprinter for Impaired Hearing or Speech
303-7666 Baltimore Metro - 565-8451 D.C. Metro - 1-800-492-5083 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21205-3717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: February 5, 1993

SUBJECT: 7307 Seven Mile Lane

INFORMATION:

Item Number: 235

Petitioner: Darchei Tzedek, Inc.

Property Size:

Zoning: D.R. 5.5

Requested Action: Special Hearing/Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff supports the requested variance to allow 14 parking spaces in lieu of the required 22 parking spaces since the congregation is comprised of strictly observant Jews, who are required by religious law to walk to religious services.

This office, however, does not recommend the Variance request to allow a crusher run surface in lieu of the required durable and dustless surface unless it is supported by D.E.P.R.M.

We support the amendment of Case No. 86-401 SPH conditioned upon the provision of adequate landscaping along the southern property line (Shelborne Road). The applicant should submit a landscape plan to the deputy director of Planning prior to the issuance of any building permits.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kern

PK/JL/lvd

235, ZAC/2AC1

Pa. 1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: January 29, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: January 25, 1993

ITEM NUMBER: 235

- Concrete curb should be installed instead of the proposed railroad-tie curb.
- "DO NOT ENTER" signs must be installed at the access to Marnat Road.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJP/WKL/lvd



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

JANUARY 25, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CONGREGATION DARCHI TZEDEK, INC.

Location: #7307 SEVEN MILE LANE

Item No.: +235 (LJG) Zoning Agenda: JANUARY 25, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: [Signature] Noted and
Planning Group Approved Fire Prevention Bureau
Special Inspection Division

NEIGHBORING PROPERTY OWNER'S CONSENT
TO PETITION FOR VARIANCE
AND TO PETITION FOR SPECIAL HEARING

Property located at 7307 Seven Mile Lane
Owner: Congregation Darchei Tzedek, Inc.

Petition for Variance from:

Section 409.6.A.4, to allow 12 parking spaces in lieu of the required 22

Section 409.8.A.2, to allow a crushed rock surface instead of the require macadam pavement

Section 409.8.A.6, to allow parking spaces to remain unstriped, yet marked on the curb

Petition for Special Hearing to approve amendment to case number 86-401-SPH and showing that proposed improvements to the property comply with Residential Transition Area (RTA) requirements to the extent possible

The undersigned, owner(s) of 3317 Marnet Road

are neighbors of the above-referenced property and I (we) hereby join in to indicate my(our) consent to above-referenced Petition for Variance and Petition for Special Hearing and the variances and approval of amendment and compliance with RTA regulations requested therein.

DATE: Dec 8, 1992

Dr. Sheldon B. Avery

Signature

Dr. Sheldon B. Avery

(Print Name)

President, Marnet Road Neighborhood Assn.

DATE: _____

Signature

(Print Name)

93-226-SPHA

235

NEIGHBORING PROPERTY OWNER'S CONSENT
TO PETITION FOR VARIANCE
AND TO PETITION FOR SPECIAL HEARING

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Petition for Special Hearing to approve amendment to case number 86-401-SPH and showing that proposed improvements to the property comply with Residential Transition Area (RTA) requirements to the extent possible

The undersigned, owner(s) of 3319 Marnet Rd

are neighbors of the above-referenced property and I (we) hereby join in to indicate my(our) consent to above-referenced Petition for Variance and Petition for Special Hearing and the variances and approval of amendment and compliance with RTA regulations requested therein.

DATE: Dec 1 1992

George Schiller

Signature

GEORGE SCHILLER

(Print Name)

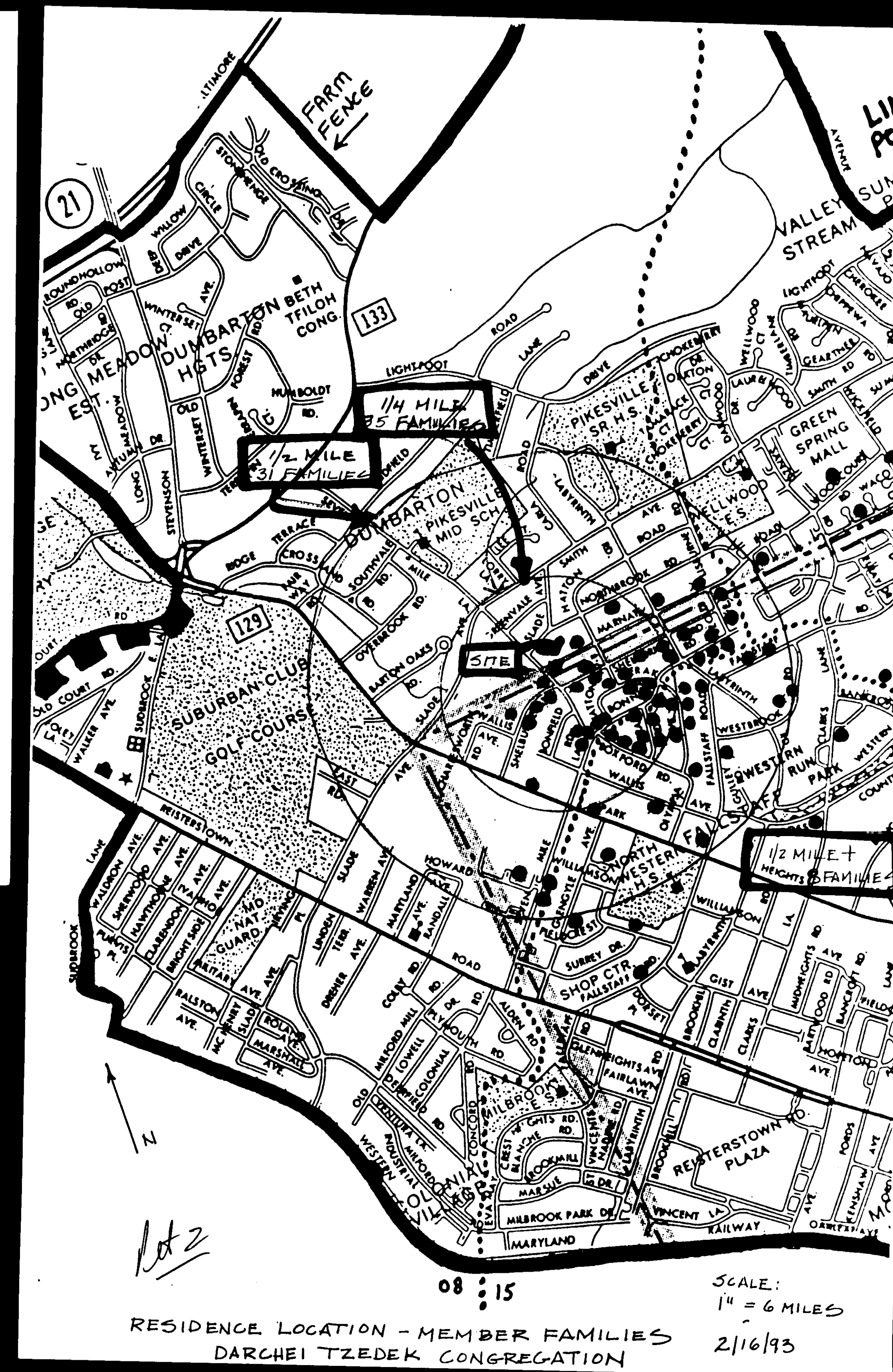
DATE: _____

Signature

(Print Name)

93-226-SPHA

235



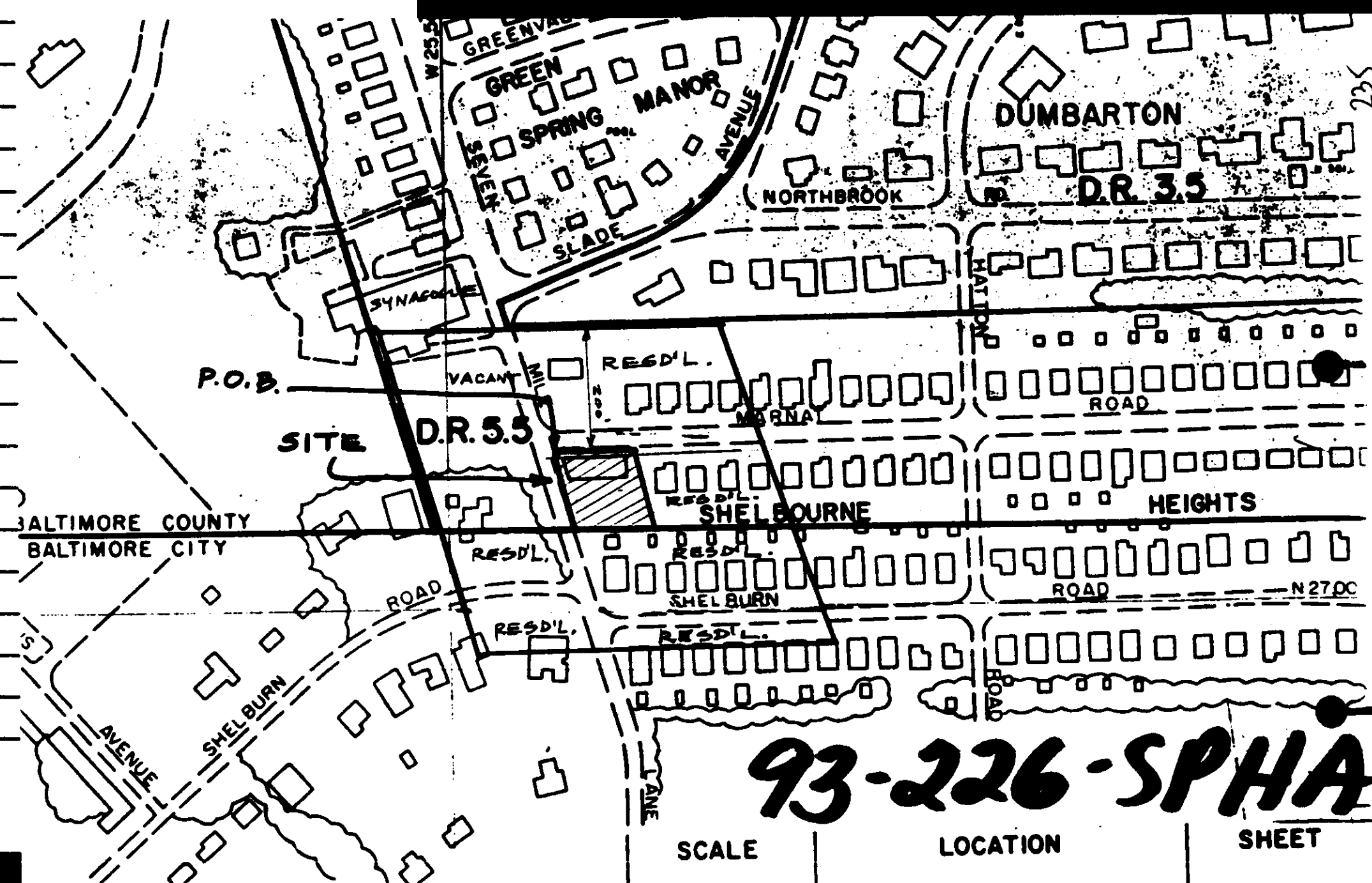
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Tom Zinn 3203 Hark Rd Bldg
Louis Newmark 3400 Seven Mile Lane, Bldg
Judith Robb, Rosemary Wofsy 10706 Reisterstown Rd. OH. 21117



STRUCTURES AND USES
WITHIN 200 FT OF SITE
DARCHI TZEDEK CONG.
1/12/93

SCALE
1" = 200'

LOCATION

PIKESVILLE

SHEET

NW

7-E

DATE
OF
PHOTOGRAPHY
JANUARY
1986

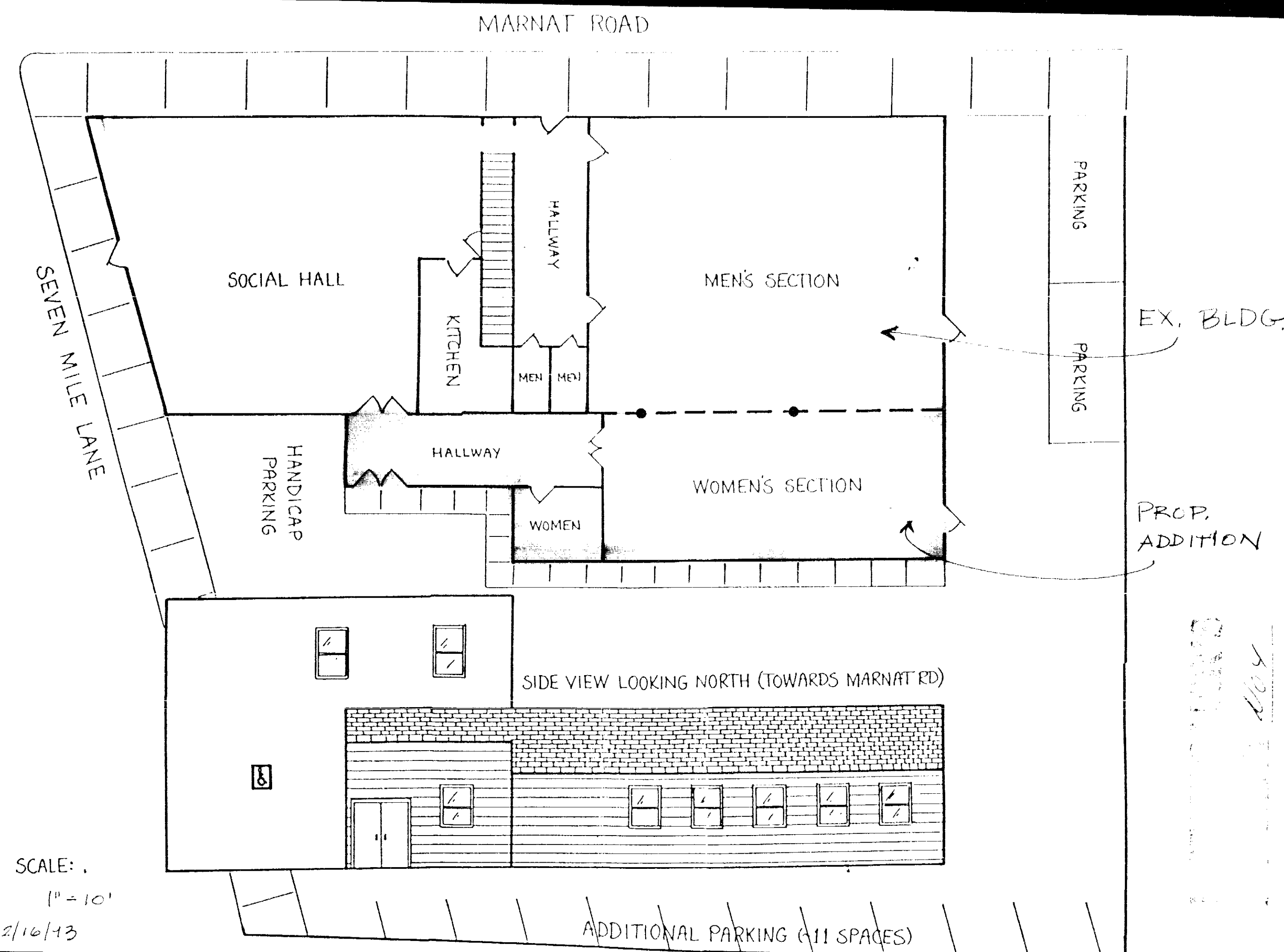
93-226-SPHA

Petitioner's
Exhibit 1A-1F
photographs
Case 93-226-SPHA

764-5669	Remnickoff	Mr/Mrs	Reuben &	Sandy	3123 Bancroft Road
358-9166	Storch	Mrs	Louis &	Hannah	3425 Bancroft Road
358-0125	Back	Mr/Mrs	Yisroel &	Joy	3307 Bonnie Road
358-1819	Shapiro	Mr/Mrs	Joseph &	Laya	3305 Bonnie Road
358-3005	Rafkind	Dr/Mrs	Scott &	Suri	3309 Bonnie Road
358-9006	Schmitter	Mrs	Shmuel &	Gail	3313 Bonnie Road
358-3439	Steinman	Mr/Mrs	David &	Aviva	3211 Bonnie Road
358-5119	Rosenberg	Mr/Mrs	Ephraim &	Malka	3113 Bonnie Road
764-1597	Birnbaum	Dr/Mrs	Sarah &	Verda	3111 Bonnie Road
764-7490	Nosenblum	Mr/Mrs	Penina &	Sarah	3116 Bonnie Road
764-7540	Gerstman	Mr/Mrs	Lillian &	Anne	3210 Bonnie Road
764-7969	Flamm	Mr/Mrs	Frank &	Penina	3213 Bonnie Road
764-8086	Haskian	Mr/Mrs	Richard &	Sina	3212 Bonnie Road
764-0778	Ward	Mr	Michael	Lillian	7110 Boxford Road
764-6094	Storch	Mrs	Rebecca	Rachel	7100 Boxford Road
358-2043	Ellberg	Mr/Mrs	Mindy	Laura	7202 Chalkstone #B3
358-0713	Topper	Mrs	Ephraim &	Sarah	3311 Claron Road
358-9586	Yudin	Mr	Esti	Sarah	3310 Claron Road
358-9351	Krumbein	Mr	Chana	3323 Clarks Lane #F	
764-2317	Abrams	Dr/Mrs	Phyllis	6704 Cross Country B	
358-1915	Chamdi	Mr/Mrs	Dov	3020 Fallstaff Manor	
358-1448	Spetner	Mr/Mrs	Linda	3218 Fallstaff Road	
358-4110	Rubin	Mr/Mrs	Dorothy	3411 Fallstaff Road	
358-9704	Gorez	Mr/Mrs	Rebecca	3411 Fallstaff Road	
764-3220	Greenstein	Mr/Mrs	Shimon &	3508 Fallstaff Road	
764-8869	Price	Dr/Mrs	Rita	3916 Fallstaff Road	
358-9049	Lieban	Dr	Clara	3306 Fallstaff Road	
486-0483	Fader	Mr/Mrs	Paige	3222 Fallstaff Road	
358-7818	Korb	Mr/Mrs	Shelly	2526 Farrington Road	
358-3065	Edelman	Dr/Mrs	Klara	6923 Fieldcrest Road	
358-2226	Rasky	Mr/Mrs	Miriam	3629 Glenlyle Ave. #	
358-2738	Weintraub	Dr	Leah	3711 Glenlyle Avenue	
358-6550	Garfunkel	Mr	Regina	3624 Glenlyle Avenue	
358-4839	Richmond	Dr/Mrs	Sheila	2703 Jenner Drive #2	
486-7462	Zylberman	Dr/Mrs	Toby	3211 Labyrinth Road	
486-4302	Stratton	Mrs	Judy	3106 Labyrinth Road	
653-7430	Underwood	Mr	Chava	3101 Labyrinth Road	
486-2271	Oxman	Mr/Mrs	Arlene	3717 Seven Mile Lane	
486-0344	Friedman	Mr/Mrs	Emmy	3703 Seven Mile Lane	
486-5532	Feldman	Mr/Mrs	Marla	3312 Lee Court	
653-2561	Pollock	Mr/Mrs	Rabriet	3302 Marnat Road	
358-9046	Amshush	Mr/Mrs	Galina	3105 Marnat Road	
486-7374	Margaretten	Mrs	Miriam	3224 Marnat Road	
358-1597	Grant	Mr/Mrs	Ruth	3205 Nerak Rd.	
358-9017	Naiman	Mr/Mrs		2905 Marnat Road	
764-7862	Zien	Mr/Mrs		3300 Nerak Road	
486-3999	Stalman	Mr/Mrs		3214 Nerak Road	
486-2322	Cohn	Mr/Mrs		3203 Nerak Road	
358-2602	Schwartz	Mr/Mrs		3217 Northbrook Rd.	
358-4482	Markowitz	Mr/Mrs		3214 Northbrook Rd.	
358-4670	Schwartz	Mr/Mrs		3304 Olympia Avenue	
358-5719	Goldstein	Mr/Mrs		3313 Olympia Avenue	
358-8074	Katz	Dr/Mrs		3413 Olympia Avenue	
358-9846	Polack	Mr/Mrs		3308 Olympia Avenue	
764-6821	Bliss	Dr/Mrs		3319 Olympia Avenue	
358-2035	Moss	Mr/Mrs		3309 Olympia Avenue	
358-4558	Simba	Dr/Mrs		3416 Olympia Avenue	
764-7443	Katz	Ms		3000 Northbrook Rd.	
358-0332	Mogilenaky	Mrs		3206 Labyrinth Road	
358-5160	Cohen	Mr		7000 Park Bts Av #56	
358-5220	Newmark	Dr/Mrs		7121 Park Bts Ave. #	
358-8945	Goldman	Dr/Mrs		7241 Park Heights Av	
358-8520	Berry	Mr/Mrs		3400 Seven Mile Lane	
358-7336	Atlas	Mr/Mrs		3503 Seven Mile Lane	
358-0274	Schaczewski	Dr/Mrs		3402 Shelburne Rd	

PROPOSED ADDITION
DARCHEI TZEDEK SYNAGOGUE

SCALE: 1" = 10'
2/10/93



CONGREGATION DARCHI TZEDEK, INC.
7101 SEVEN MILE LANE
BALTIMORE, MARYLAND 21208

December 1, 1992

Marnat Road Neighborhood Association
c/o Dr. Sheldon Avery
1317 Marnat Road
Baltimore, Maryland 21208

Dear Dr. Avery:

I was pleased to hear that you and the association are supportive of our plans to build an addition to our synagogue building and improve appearance of the building exterior. As you can understand, we are on a limited budget and cannot accomplish all that we would like, especially if anticipated expenses develop such as additional requirements by the Zoning Board.

Nevertheless, we always want to be good neighbors, and we appreciate any support and assistance you can give us. We are petition for approval of the variance requested. If our petition for variance and special hearing are favorably granted, we will be the following as part of our construction of the addition:

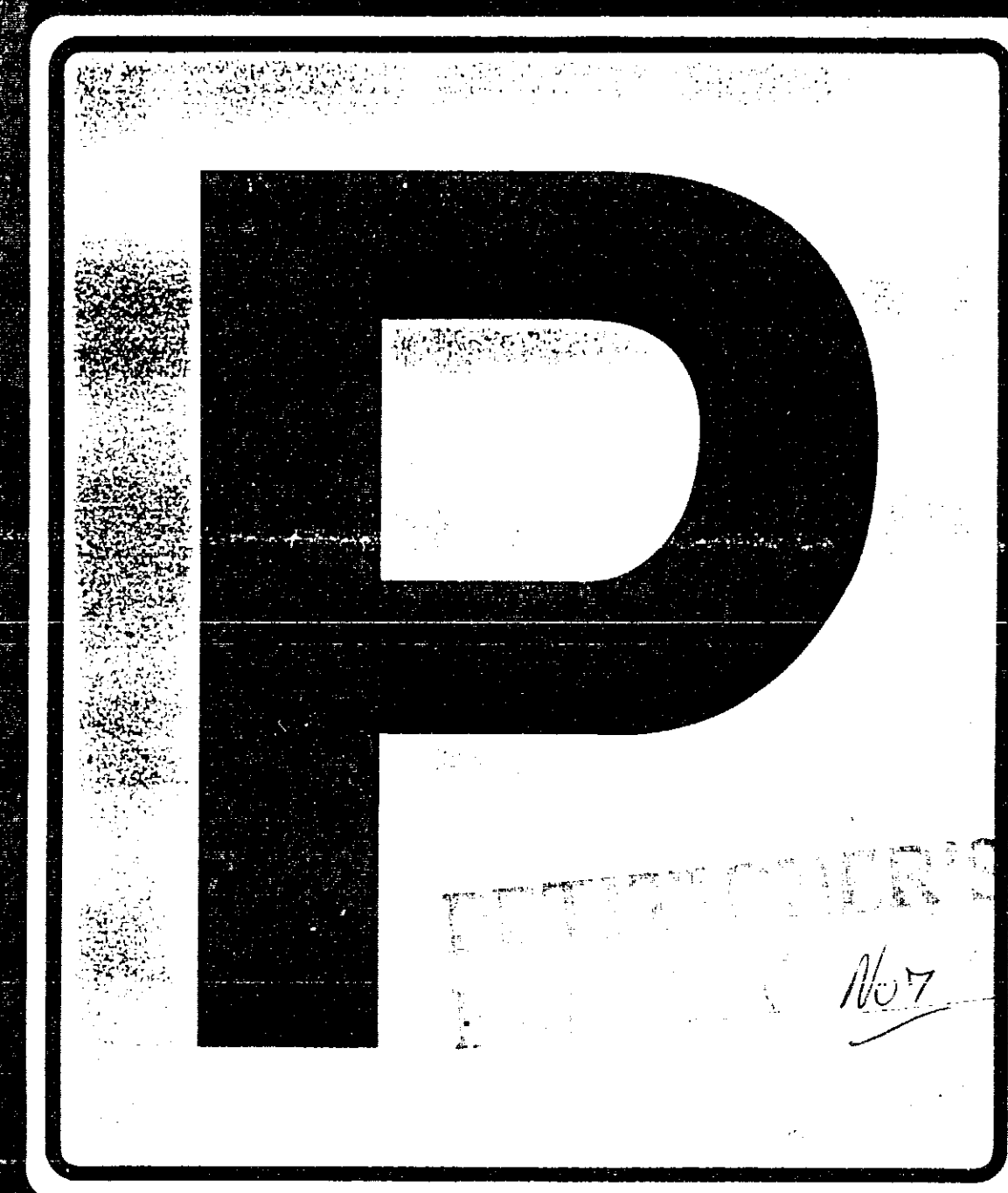
1. put vinyl siding on all exterior walls (including the addition), except for the wall along Marnat currently composed of bricks - we already have requested estimates for this.
2. fill in the cracks in the pavement along Marnat.
3. fix up the shed at the side of the building.
4. remove the awning on the Marnat side.

Again, thank you for your understanding and assistance. If you ever have any questions about the synagogue - whether about the addition or in general - please do not hesitate to get in touch with me.

Sincerely,

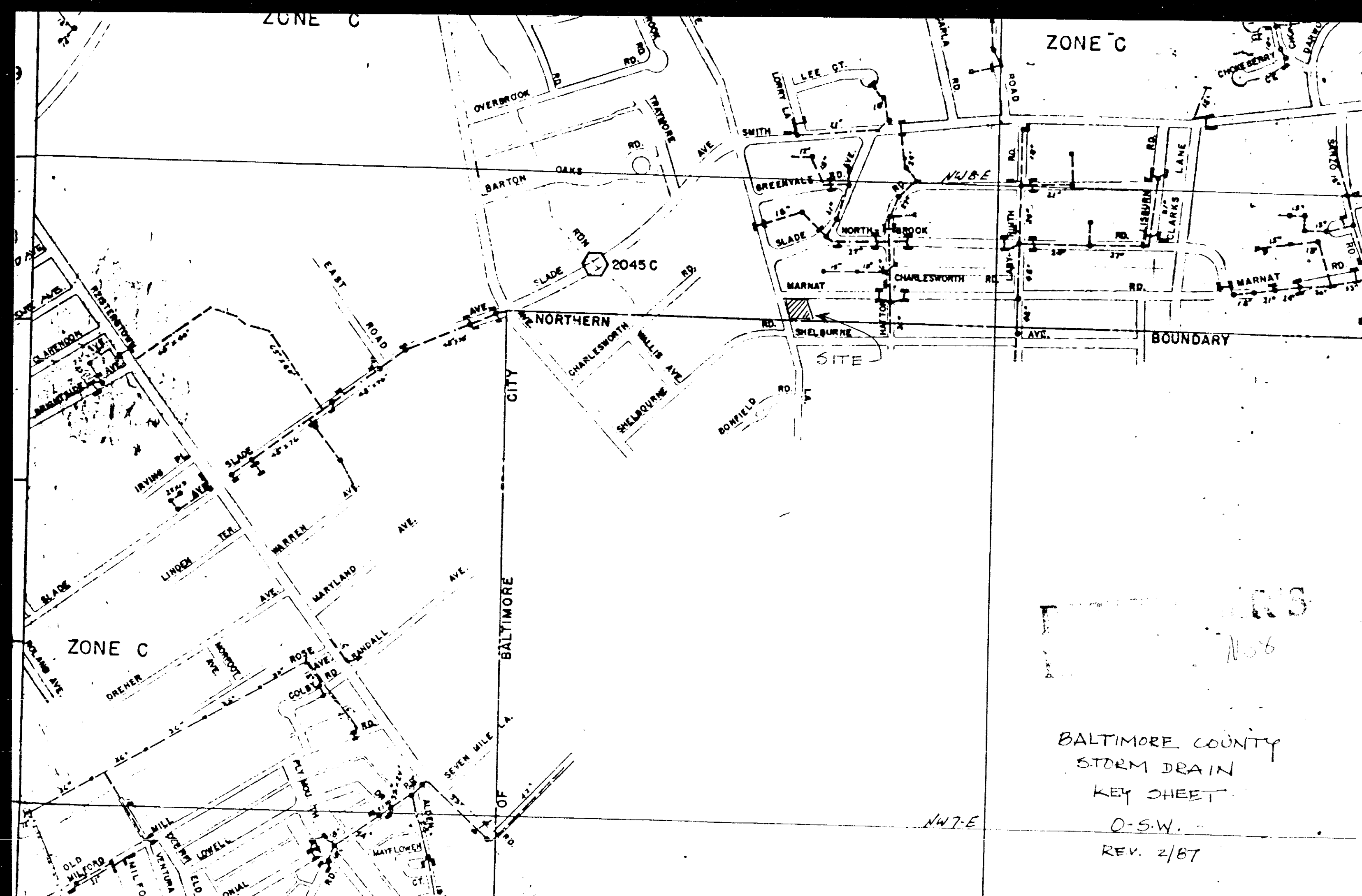
Louis Newmark, President

LOUIS NEWMARK'S
LAW FIRM

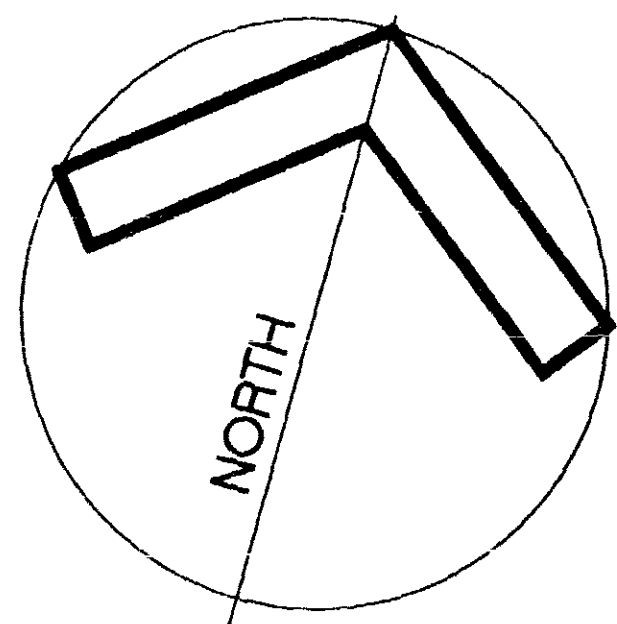


Edited by David Bergman **Off-Street Parking Requirements**

APA American Planning Association
PAS Planning Advisory Service
Report Number 432

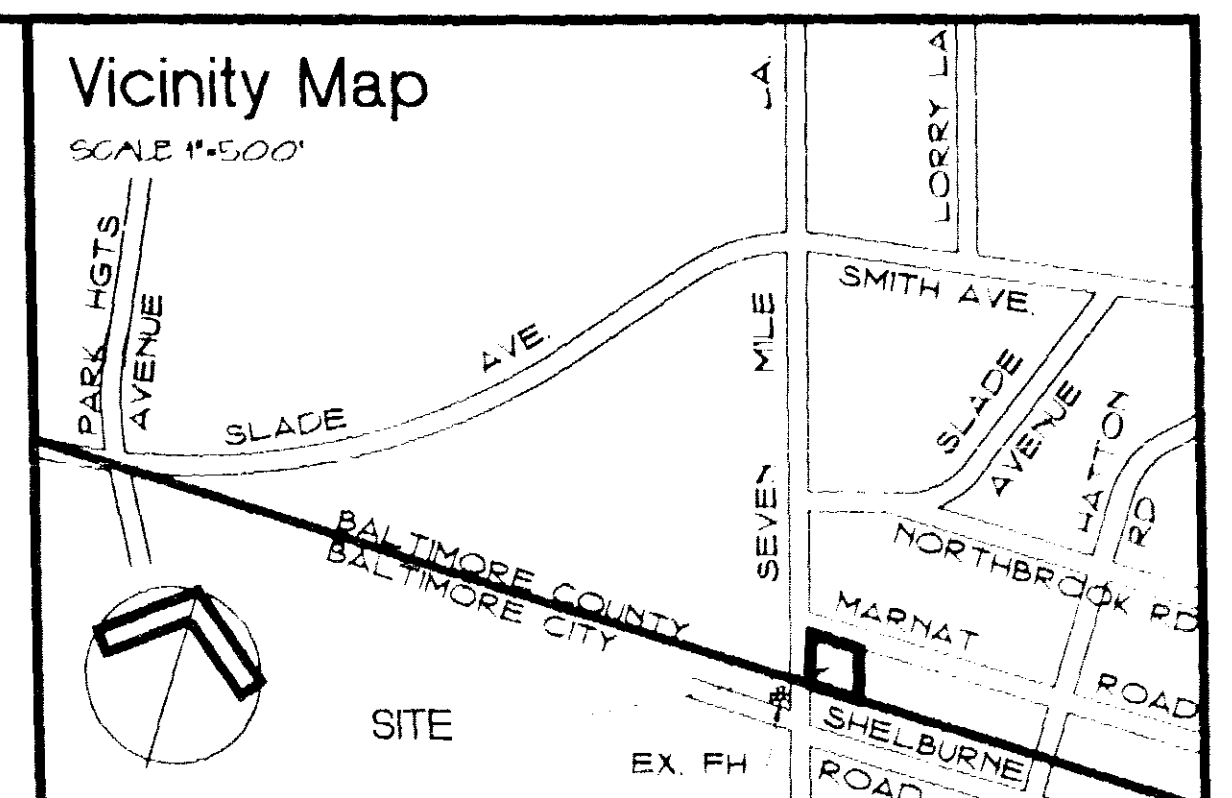
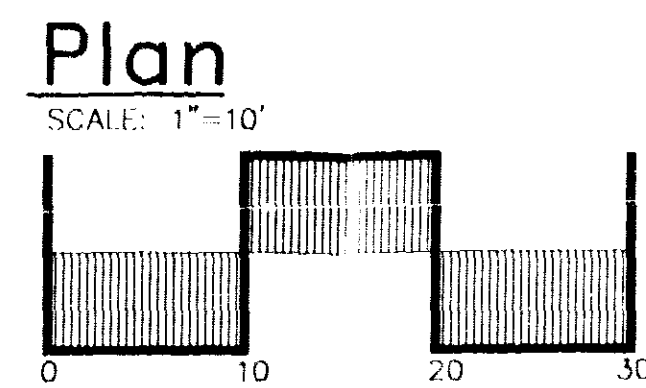
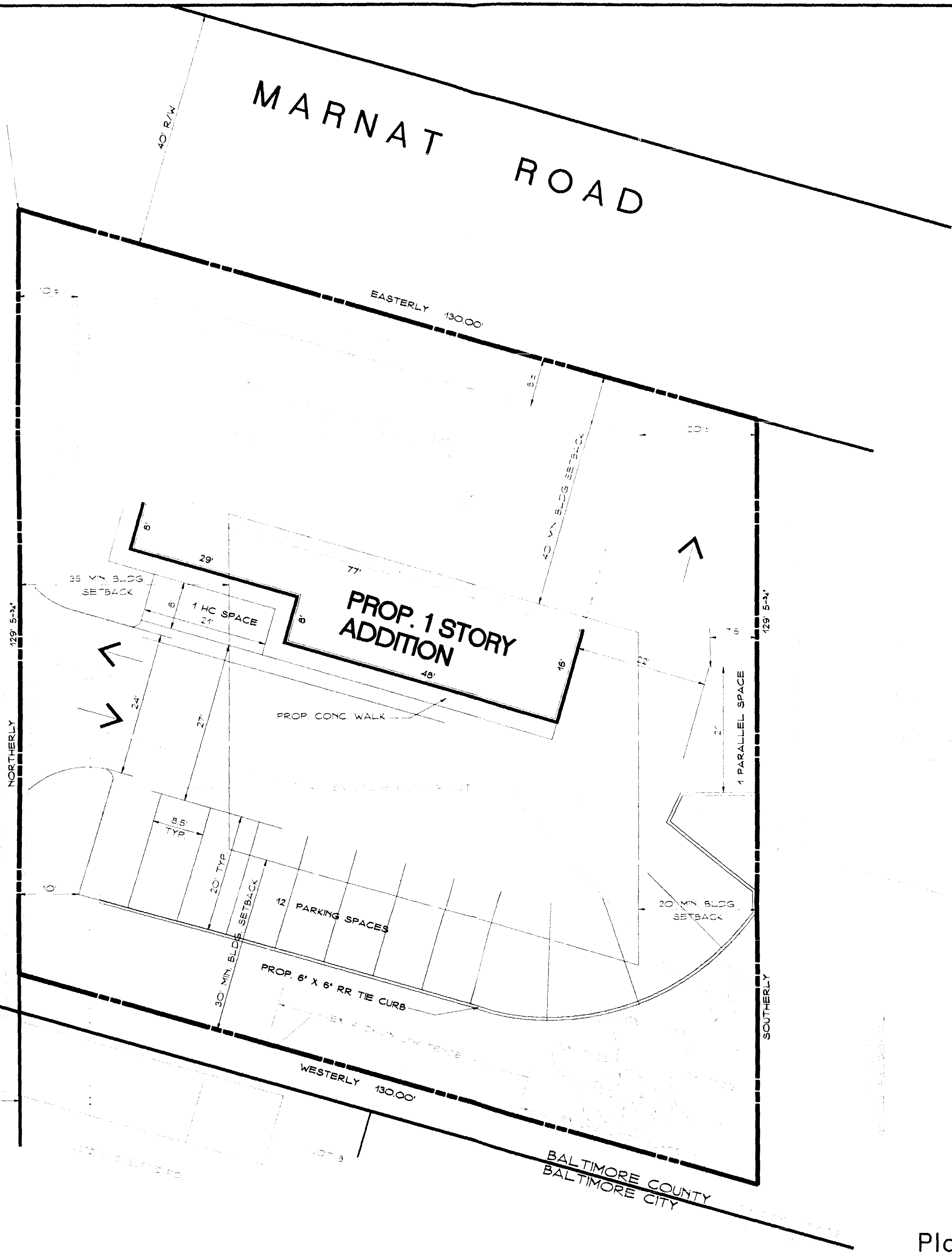


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SEVEN MILE LANE

POINT OF BEGINNING



- ### General Notes
- Applicant: Darchei Tzedek Congregation
Owner: 7307 Seven Mile Lane
Baltimore, Md. 21218
(410) 553-1688
 - Deed Reference: 7229/385
Tax Account No. 0308065875
 - County District No. 2
Election District No. 3
 - Existing Zoning: DR 5.5
Zoning Map: N.W. 7 E
 - Existing and Proposed Use: Religious Services
 - Size of Site: 16,835 Sq. Ft. (0.39 Ac.)
 - Existing Building: 1,400 Sq. Ft. 70 Seats
Proposed Addition: 1,950 Sq. Ft. 98 Seats
Proposed F.A.R.: 0.26
 - Required Parking: 12.5 Spaces (1 Sp. 16 Seats)
Existing Seats: 70
Proposed Seats: 98
Total: 168 Seats
Proposed Parking: 14 Spaces
 - Zoning History: Case No. 96-401 SPH. On 4/16/96, the Zoning Commissioner approved conversion of two existing commercial buildings for use as a synagogue.
 - The applicant is requesting a Special Hearing to amend Case No. 96-401 SPH and to show that the proposed improvements comply to the extent possible with RTA requirements. The applicant is also requesting the following Variances:
1. Variance from Sec. 409.6A.4 to allow 14 parking spaces in lieu of the 22 required.
2. Variance from Sec. 409.8A.2 to allow a crushed rock surface instead of the required macadam pavement.
3. Variance from Sec. 409.8A.6 to allow parking spaces to remain unstriped, yet marked on the curb.
4. Variance from Sec. 1901.2C.1.a to allow an 8-foot front and 10-foot side street setback in lieu of the required 40 feet and 35 feet for an existing non-residential principal building.
 - A Limited Exemption from Section 2 of the Development Regulations was approved by the Office of Zoning Administration and Development Management on 1/11/93.
 - All information shown hereon is taken from plans and plats and does not represent a field survey.

93-226-SPHA

Site Plan to Accompany
Zoning Petition

**DARCHEI TZEDEK
SYNAGOGUE**
7307 SEVEN MILE LANE
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

	REVISIONS:	DATE: 1/11/93
	1/11/93 ITW PER GO. COMMENTS	JOB NO.: 3W/004
		DESIGNED: ITW
		DRAWN: CAP
		CHECKED: ITW

Rosenfelt & Woolfolk
Civil Engineers & Landscape Architects
Suite Eight
Owings Mills Professional Center
10706 Reisterstown Road
Owings Mills, MD 21117
Telephone: (410) 356-4600
Facsimile: (410) 581-1087

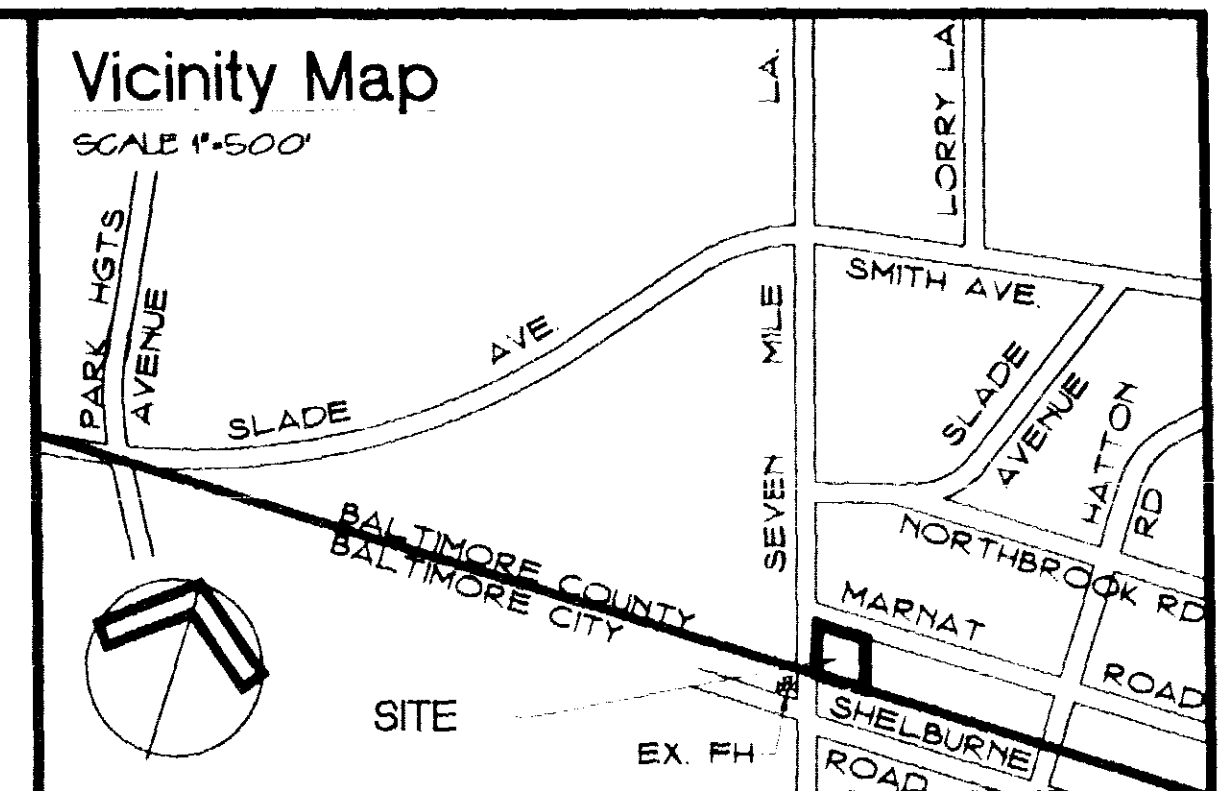


DRAWING NUMBER:
Z-1
SHEET 1 OF 1

JAN 1 1993

Vicinity Map

SCALE 1"=500'



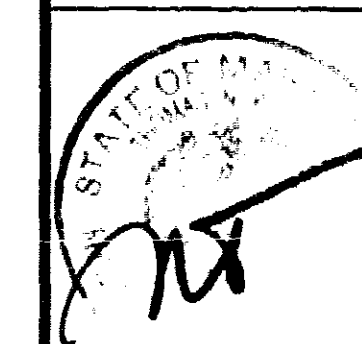
General Notes

- Applicant/Owner: Darchei Tzedek Congregation, 7307 Seven Mile Lane, Baltimore, Md. 21208, (410) 553-1688
- Deed Reference: 7229/385, Tax Account No. 0308065875
- Council District No. 2, Election District No. 3
- Existing Zoning: DR-5.5, Zoning Map: N.W. 7-E
- Existing and Proposed Use: Religious Services
- Size of Site: ± 16.835 Sq Ft (± 0.39 Ac.)
- Existing Building: ± 3,400 Sq Ft, 75 Seats; Proposed Addition: ± 950 Sq Ft, 38 Seats; Total: 113 Seats
- Proposed F.A.R.: 0.26
- Required Parking: Existing Seats 12.5 Spaces @ 1 Sp./6 Seats, Proposed Seats 9.5 Spaces @ 1 Sp./4 Seats, Total 22 Spaces; Proposed Parking: 14 Spaces
- Zoning History: Case No. 86-401-SPH. On 4/16/86, the Zoning Commissioner approved conversion of two existing commercial buildings for use as a synagogue.
- The applicant is requesting a Special Hearing to amend Case No. 86-401-SPH and to show that the proposed improvements comply to the extent possible with RTA requirements. The applicant is also requesting the following Variances:
 - Variance from Sec. 409.8 A.4 to allow 14 parking spaces in lieu of the 22 required.
 - Variance from Sec. 409.8 A.2 to allow a crushed rock surface instead of the required macadam pavement.
 - Variance from Sec. 409.8 A.6 to allow parking spaces to remain unstriped, yet marked on the curb.
 - Variance from Sec. 1801.2 C.1 a to allow an 8-foot front and 10-foot side street setback in lieu of the required 40 feet and 35 feet for an existing non-residential principal building.
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Site Plan to Accompany Zoning Petition

DARCHEI TZEDEK SYNAGOGUE

7307 SEVEN MILE LANE
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND



REVISIONS:
1/13/93 ITW
1/18/93 CORRECTIONS

DATE: 1/11/93
JOB NO.: 2410024
DESIGNED: ITW
DRAWN: CAD
CHECKED: ITW
FILE: 0240024.DWG

Rosenfelt & Woolfolk

Civil Engineers & Landscape Architects
Suite 500
Owings Mills Professional Center
10706 Reisterstown Road
Owings Mills, MD 21117
Telephone: (410) 356-4600
Facsimile: (410) 581-1087



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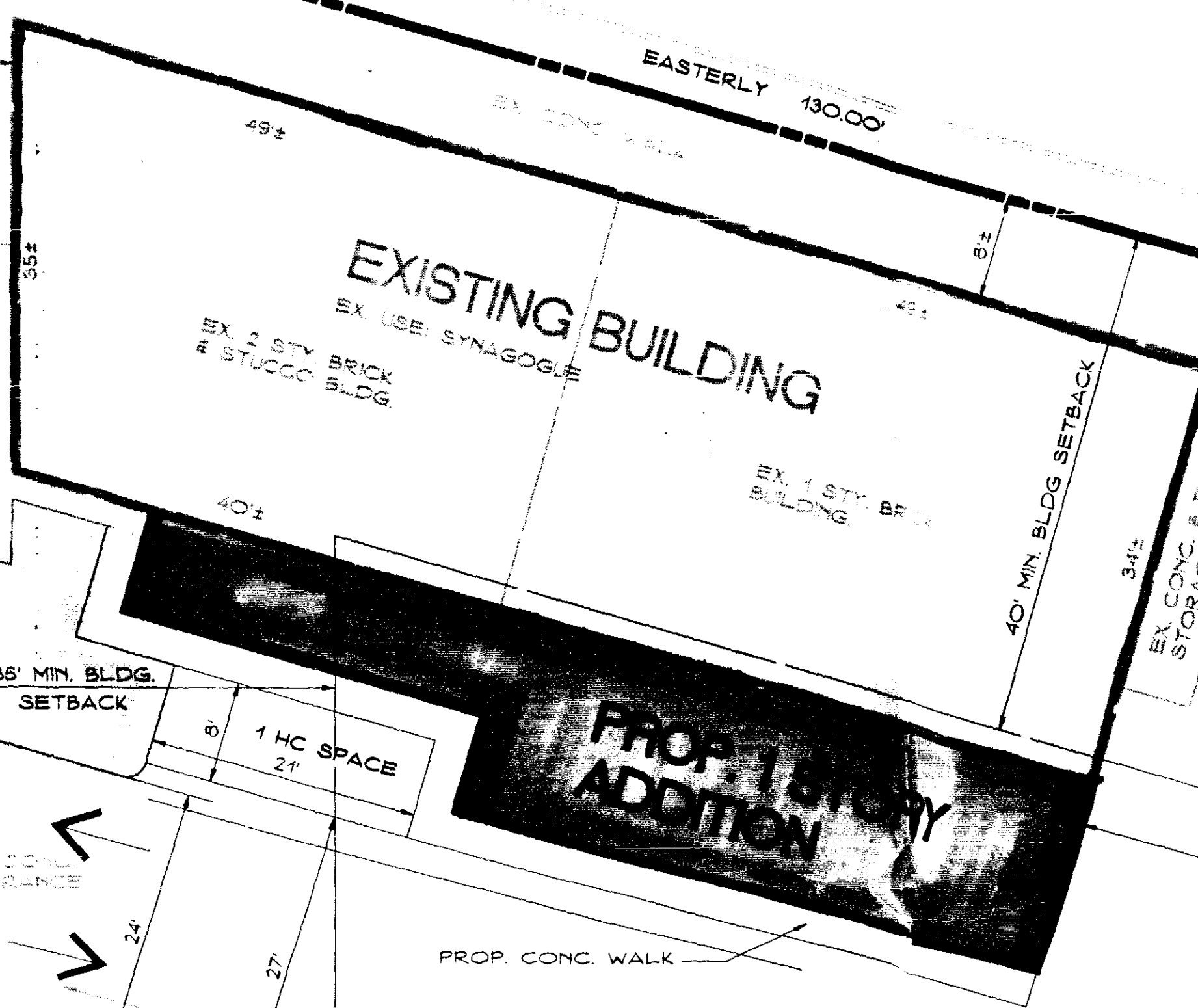
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SHEET 1 OF 1

ITW 1/12/93

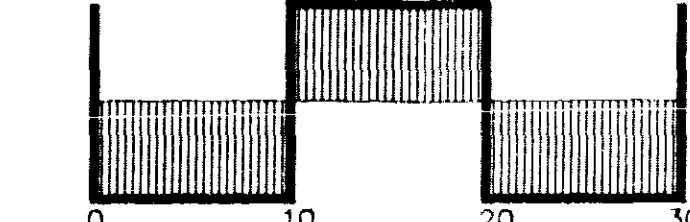
SEVEN MILE LANE

MARNAT ROAD

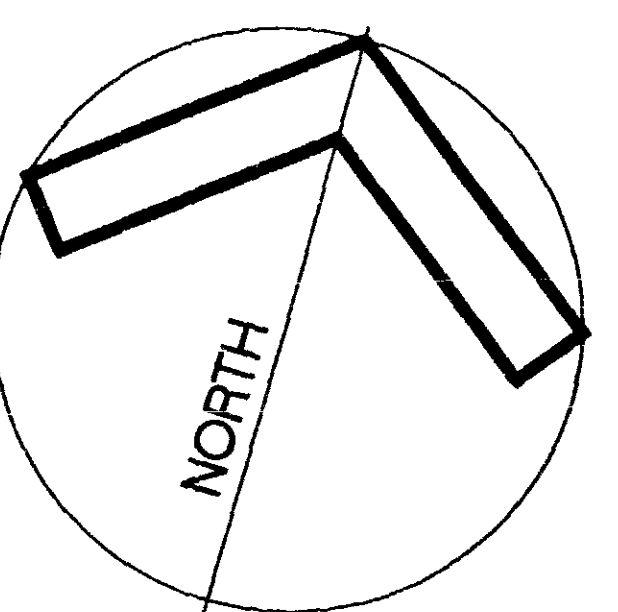


Plan

SCALE: 1"=10'



CAUTION: IF THIS PRINT IS A REDUCTION GRAPHIC SCALE MUST BE USED.



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